

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

DAEDALUS BLUE, LLC,
Plaintiff,

v.

MICROSTRATEGY INCORPORATED,
Defendant.

Civil Action No. 2:20CV551 (RCY)

ORDER

This matter is before the Court on Plaintiff's Motion to Strike Declaration of Cezary Raczko, the Special Master's Report and Recommendation Regarding Plaintiff's Motion ("R&R," ECF No. 275), and Defendant's Objection to the R&R (ECF No. 283). For the reasons set forth in the accompanying Memorandum Opinion, the Court OVERRULES Defendant's Objection (ECF No. 283), ADOPTS IN PART the R&R (ECF No. 275), and GRANTS IN PART and DENIES IN PART Plaintiff's Motion to Strike Declaration of Cezary Raczko (ECF No. 145). Specifically, the Motion is granted with respect to the Declaration's paragraphs 7–12 and 23–32 and its attached source code exhibit. The Motion is denied without prejudice with respect to paragraphs 13–22 of the Declaration.

The Court further ORDERS that Plaintiff has leave to conduct a supplemental deposition of Mr. Raczko to explore the extent of his personal knowledge underpinning paragraphs 13–22; such deposition shall last no longer than the unused portion of time left from Plaintiff's original deposition of Mr. Raczko.

Let the Clerk file this Order electronically and notify all counsel accordingly.

It is so ORDERED.

Richmond, Virginia
Date: August 18, 2023



/s/ Roderick C. Young
United States District Judge